IN THE HIGH COURT OF JUDICATURE OF
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE MR. JUSTICE BILAL NAZKI

AND

THE HON'BLE MR. S.ANANDA REDDY

W.P. NO. 14673 OF 2007

Dated: 10th July, 2007

Between:

M/s. Hindustan Aeronautics Limited,
Balanagar, Hyderabad,
Rep. By its Addl. General Manager,
Finance, Mr. N. Kumar

Petitioner

AND

The Asst. Commissioner (C.T) LTU,
Office of the Dy. Commissioner (C.T.)
Hyderabad (Rural) Division,
Nampally, Hyderabad and another

Respondents

ORAL ORDER:
(Per the Hon'ble Sri Justice Bilal Nazki)

Heard learned counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

The controversy is that the petitioner preferred Appeal TA No. 86 of 2006 before the Appellate Authority along with an application for stay against the order of assessment and the appeal is pending before the Appellate Authority, which according to the petitoner is listed for final hearing on 12.07.2007. In the meantime, the respondents issued notice of demand and taking coercive steps to recover the disputed liability.

In that view of the matter, we allow the writ petition and direct that no coercive steps be taken till 12.07.2007. If the matter is not decided by that date, the petitioner shall deposited 50% of the liability, within a period of four weeks from today. For four weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeal, provided the amount is deposited within the stipulated time. The deposit of amount shall be without prejudice to the rights of the petitoner in appeal. If any amount has already been paid by the petitioner, the same shall be given credit.

The writ petition is accordingly allowed. No costs.

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Bilal Nazki, J.

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S.Ananda Reddy, J.

July 10, 2007

Copy in two days.

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